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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/826,602	04/05/2001	Kieran G. Sherlock	SECU0001	4034

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GLENN PATENT GROUP  
3475 EDISON WAY, SUITE L  
MENLO PARK, CA 94025

EXAMINER
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HAILU, TADESSE

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 01/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/826,602

Applicant(s)

SHERLOCK ET AL.

Examiner

Tadesse Hailu

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 27 October 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. This Office Action is in response to the Amendment entered on October 27, 2005 for the application number 09/826,602.
2. The pending claims 1 through 37 are examined herein as follows.

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-10, 13-24, and 28-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Muret et al (U.S. Pat. No. 6,792,458) and Adrian Cockcroft, "Observability", Sun Microsystems, Inc., 1999.

Muret discloses a system and method for monitoring and analyzing Internet traffic as per the claimed subject matter of claim 1, Muret discloses a user interface browser for displaying processed and analyzed network data to an end user. For example, as illustrated in Figs. 22-24, the user interface displays web site traffic in terms of visitors monitored. Although Muret discloses a user interface browser (Fig. 21, #1810) for interacting and managing traffic information, but Muret's browser interface ("dashboard") does not show a network status console area; a network events viewing area; and a trend viewing area as required in the claim.

Cockcroft, however, discloses integrated interface console, SyMON, Sun Management Center for monitoring a small number of systems with customized data views. Cockcroft also discloses a network status console area (Figs. 5 and 8); a network events viewing area (Figs. 6 and 7); and a trend viewing area (e.g., Figs. 10-14) as required in the claim. Cockcroft and Muret are analogous art because they are from the same field of endeavor, monitoring and managing network devices and network traffic data. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine Cockcroft's integrated interface console with the browser interface of Muret. The suggestion /motivation for doing so would have been to provide a more integrated traffic management console to the user. Therefore, it would have been obvious to combine Cockcroft with Muret to obtain the invention as specified in claim 1.

With regard to claim 2:

Muret and Cockcroft teach the network status console area further comprises: an alerts area comprising a FIFO queue of critical alerts (Cockcroft, pages 4, 7, Figs. 7 and 12).

Muret and Cockcroft teach a health monitor area showing a percentage of network traffic that does not violate current traffic and over a predetermined amount of time (Cockcroft, Figs. 2 and 3, page 10).

With regard to claim 3:

Muret and Cockcroft teach a tear off status console window for said end user to keep console window open on a desktop to monitor network status (Cockcroft, Fig. 2, *load module* pane)

With regard to claim 4:

Muret and Cockcroft disclose a browser (web-based) traffic management interface (Muret, Figs 21 and 24).

With regard to claim 5:

Muret and Cockcroft teach that said user alerts are updated on a real-time basis (Cockcroft, page 19)

With regard to claim 6:

Muret and Cockcroft teach that any of said user alerts links to corresponding alert details information (Cockcroft, pages 3, 4 and 7).

With regard to claim 7:

Muret and Cockcroft teach that the underlying traffic data of said health monitor is updated automatically at a regular interval (Cockcroft, pages 1, and 7-8).

With regard to claim 8:

Muret and Cockcroft teach severity alerts levels are distinguished by color codes (Cockcroft, Fig. 6, page 3)

With regard to claim 9:

Muret and Cockcroft teach that said network events viewing area further comprises links to at least to a visitors information events (Muret, Figs. 22 and 24, column 22, lines 45-52)

With regard to claim 10:

Muret and Cockcroft teach that said configurable time period comprises any of a user selected date and time range, for example, today, last 24 hours, yesterday, and last seven days, etc (column 27, lines 1-11, Figs. 22, 23, and 27).

With regard to claim 13:

Muret and Cockcroft teach that user defined and configurable query and report settings are stored (Muret, column 20, lines 23-53).

With regard to claim 14:

Muret and Cockcroft teach that said trend-viewing area further comprises links to network events summary information (Cockcroft, page 12).

With regard to claim 15:

Muret and Cockcroft teach that said trend viewing area further comprises a snapshot report (QuickWeek) section, containing at least a predetermined number of most frequent target IP addresses (or pages) versus count during said past predetermined number of days (Fig. 30).

With regard to claim 16:

Muret and Cockcroft further teach that the trend viewing area is user customizable (Cockcroft, page 2).

With regard to claim 17:

Muret and Cockcroft further teach embeddable trend charts into details information, said trend over a time range dynamically configurable by said end user (Cockcroft, page 2).

With regard to claim 18:

Muret and Cockcroft further teach the trend charts comprise at least network event details (Cockcroft, e.g., network throughout over a day, Fig. 14).

With regard to claim 19:

Muret and Cockcroft further teach the network event details information further comprises at least a source IP-address (Fig. 23).

With regard to claim 21:

Muret and Cockcroft further teach that the application data comprises at least HTTP-URL (column 4, lines 40-55).

With regard to claim 21:

Muret and Cockcroft further teach protocol event details information in context of a particular network event to a database from which said information is retrieved on an as-needed basis (Muret, column 12, lines 19-62).

With regard to claim 22:

Muret and Cockcroft teach that said protocol event details information further comprises data from attributes (Cockcroft, page 8).

With regard to claim 23:

Muret and Cockcroft teach that the data attributes includes at least rule name for said protocol event (Cockcroft, page 8).

With regard to claim 24:

Muret and Cockcroft teach that alert event details information, said information includes at least details of network event that caused alert (Cockcroft, e.g., detail messages are shown Figs. 6 and 7).

With regard to claim 28:

Muret and Cockcroft further disclose means for ad-hoc querying by said end user (Muret, Fig. 12, column 22, lines 5-16).

With regard to claim 29:

Muret and Cockcroft further disclose that means for ad-hoc querying further comprises filtering results by at least policy target IP-address (Muret, column 22, lines 5-27, Fig. 23).

With regard to claim 30:

Muret and Cockcroft further disclose means for ad-hoc querying further comprises an advanced search feature (Fig. 12, column 28, lines 11-25).

With regard to claim 31:

Muret and Cockcroft further disclose that the advanced search feature is implemented using a dialog box (column 28, lines 11-14).

With regard to claim 32:

Muret and Cockcroft further disclose that the informational aids provide English written in-depth information representation of rule or policy (column 27, 12-15).

With regard to claim 33:

Muret and Cockcroft further disclose that the informational aids are linked to by said end user when said end user places a cursor over an appropriate field thereby displaying a tool tip of corresponding descriptions of said fields (Cockcroft, Fig. 4).

With regard to claim 34:

Muret and Cockcroft further disclose that the description includes at least rule descriptions (Cockcroft, page 3).

With regard to claim 35:

Muret and Cockcroft further disclose informational aids further comprise any of: context sensitive help (Muret, column 27, lines 12-15).

With regard to claim 36:

Muret and Cockcroft further disclose a printer icon on the toolbar of the browser to generate a printed page (Muret, Figs. 28).

With regard to claim 37:

Muret and Cockcroft also discloses that the operating system time set feature, user can set the time zone so that it can be displayed to a user similar to that shown in Muret, Fig. 22.

4. Claims 11, 12, 26 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Muret et al (U.S. Pat. No. 6,792,458), Adrian Cockcroft, "Observability", Sun Microsystems, Inc., 1999 and Trcka et al (U.S. Pat. No. 6,453,345).

With regard to claims 11, and 12:

While Muret and Cockcroft teach visitors event summary information (Muret, Fig. 22-24), but fail to teach violator visitor events summary information containing a count of the number of violations for each violating IP-address. Trcka, however, teaches a user interface for viewing and identifying the rejected users (violators) when trying to access a destination network address (IP address) (Fig. 19). Trcka also disclose detailed summary information (e.g., name, time, date, user id, etc) of a rejected user when attempting to access the network address (Fig. 19). At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine Trcka's rejected user identifying means with Muret and Cockcroft visitor's foot step tracking window (Muret, Fig. 24). The suggestion /motivation for doing so would have been to enable identify violators when trying to access the system.

With regard to claim 26:

Muret, Cockcroft and Trcka further disclose means for each of said alerts to generate an alert email, (Trcka, column 13, lines 8-15) said alert email includes at

least any of, but not limited to time said alert occurred (Trcka, Fig. 17, column 13, lines 8-15).

With regard to claim 27:

Muret, Cockcroft and Trcka further disclose that a customer information area allowing said end user to configure a list of email addresses to receive said alert email (Muret, column 19, lines 17-23, column 20, lines 40-47).

5. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Muret et al (U.S. Pat. No. 6,792,458), Adrian Cockcroft, "Observability", Sun Microsystems, Inc., 1999 and Mohaban et al (U.S. Pat. No. 6,463,470).

With regard to claim 25:

Muret and Cockcroft teach enabling rule (policy) and setup rule (policy) thresholds (Cockcroft, page 3), but Mohaban discloses a policy update information area showing each time a new policy is installed, said information comprising, date of policy information, description of policy, and link to English representation of said newly installed policy (Fig. 6-8E, column 18, lines 64-column 19, lines 38, column 22, lines 32-60, column 26, lines 44-column 27, lines 11). At the time of the invention, it would have been obvious to a person of ordinary skill in the art to incorporate/integrate Mohaban's policy with Muret and Cockcroft because it is advantageous to integrates applications into a policy-based networking system (column 4, lines 60-64). . Therefore, it would have been obvious to combine Cockcroft Muret and Mohaban to obtain the invention as specified in claim 25.

### CONCLUSION

6. Examiner has pointed out particular references contained in the prior arts of record in the body of this action for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and Figures may apply as well. It is respectfully requested from the applicant, in preparing the response, to consider fully the entire references as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior arts or disclosed by the examiner.

7. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Tadesse Hailu, whose telephone number is (571) 272-4051. The Examiner can normally be reached on M-F from 10:30 – 7:00 ET. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, John Cabeca, can be reached at (571) 272-4048 Art Unit 2173.

9. An inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Examiner Tadesse Hailu  
Art Unit 2173 – Operator Interface  
1/5/06

